



[4910-13-P]

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 39**

**[Docket No. FAA-2015-3398; Directorate Identifier 2015-CE-031-AD; Amendment 39-18328; AD 2015-16-07 R1]**

**RIN 2120-AA64**

**Airworthiness Directives; REIMS AVIATION S.A. Airplanes**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule; request for comments

**SUMMARY:** We are adopting a new airworthiness directive (AD) for REIMS AVIATION S.A. Model F406 airplanes. This AD revises AD 2015-16-07, which required inspection of the left-hand and right-hand rudder control pedal torque tubes, and, depending on findings, replacement with a serviceable part. This AD retains the actions of AD 2015-16-07 and adds additional acceptable serviceable replacement parts. The AD was prompted by reports of detachment of the pilot's rudder control pedal in flight. We are issuing this AD to require actions to address the unsafe condition on these products.

**DATES:** This AD is effective [INSERT DATE 35 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

The Director of the Federal Register approved the incorporation by reference of a certain other publication listed in this AD as of August 18, 2015 (80 FR 49127).

We must receive comments on this AD by [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** You may send comments by any of the following methods:

- Federal eRulemaking Portal: Go to <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Fax: (202) 493-2251.
- Mail: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE, Washington, DC 20590.
- Hand Delivery: U.S. Department of Transportation, Docket Operations, M-30, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this AD, contact ASI Aviation, Aéroport de Reims Prunay, 51360 Prunay, FRANCE; telephone: +33 3 26 48 46 65; fax: +33 3 26 49 18 57; email: none; Internet: <http://asi-aviation.fr/asi-aviation-support/1.html> (requires user name and password). You may view this referenced service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329-4148. It is also available on the Internet at <http://www.regulations.gov> by searching for locating Docket No. FAA-2015-3398.

### **Examining the AD Docket**

You may examine the AD docket on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2015-3398; or in person at the Docket Management Facility between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments

received, and other information. The street address for the Docket Office (telephone (800) 647-5527) is in the ADDRESSES section. Comments will be available in the AD docket shortly after receipt.

**FOR FURTHER INFORMATION CONTACT:** Albert J. Mercado, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4119; fax: (816) 329-4090; email: albert.mercado@faa.gov.

**SUPPLEMENTARY INFORMATION:**

**Discussion**

On August 6, 2015, we issued AD 2015-16-07, Amendment 39-18232 (80 FR 49127, August 17, 2015). That AD required actions intended to address an unsafe condition on REIMS AVIATION S.A. Model F406 airplanes and was based on mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country.

Since we issued AD 2015-16-07, Amendment 39-18232 (80 FR 49127, August 17, 2015), we received a comment from Hageland Aviation Services, Inc. requesting that we expand what is allowable to use as a replacement part for the rudder control pedal torque tube as defined in paragraph (f)(4) of AD 2015-16-07. The commenter requested that we include a brand new rudder control pedal that has never been installed on an airplane because it would have been inspected during manufacturing. In addition, EASA revised AD 2015-0159-E (2015-0159R1) to incorporate the above change.

We agreed with the commenter and have revised this AD to add “a new rudder control pedal that has never been installed on an airplane” to the definition of serviceable part.

**Related Service Information under 1 CFR part 51**

ASI AVIATION has issued Service Bulletin No.: F406-104, dated July 28, 2015.

The actions described in this service information are intended to correct the unsafe condition identified in the MCAI. The service information describes procedures for inspection of the left-hand and right-hand rudder control pedal torque tubes, and, depending on findings, replacement with a serviceable part. This service information is reasonably available because the interested parties have access to it through their normal course of business or by the means identified in the ADDRESSES section of this AD.

**FAA's Determination and Requirements of the AD**

This product has been approved by the aviation authority of another country, and is approved for operation in the United States. Pursuant to our bilateral agreement with this State of Design Authority, they have notified us of the unsafe condition described in the MCAI and service information referenced above. We are issuing this AD because we evaluated all information provided by the State of Design Authority and determined the unsafe condition exists and is likely to exist or develop on other products of the same type design.

**FAA's Determination of the Effective Date**

An unsafe condition exists that allows for the immediate adoption of this AD. The FAA has found there is justification to waive notice and comment prior to adoption of this rule because it only changes the definition of a serviceable part to give the option of installing a new part without inspecting it since it already has been inspected at manufacture. Therefore, we determine that notice and opportunity for public comment before issuing this AD are unnecessary.

## **Comments Invited**

This AD is a final rule that involves requirements affecting flight safety, and we did not precede it by notice and opportunity for public comment. We invite you to send any written relevant data, views, or arguments about this AD. Send your comments to an address listed under the ADDRESSES section. Include “Docket No. FAA-2014-1123; Directorate Identifier 2014-CE-037-AD” at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this AD. We will consider all comments received by the closing date and may amend this AD because of those comments.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact we receive about this AD.

## **Costs of Compliance**

We estimate that this AD will affect 7 products of U.S. registry. We also estimate that it will take about 5 work-hours per product to comply with the basic requirements of this AD. The average labor rate is \$85 per work-hour.

Based on these figures, we estimate the cost of the AD on U.S. operators to be \$2,975, or \$425 per product.

In addition, we estimate that any necessary follow-on actions will take about 20 work-hours and require parts costing \$10,000, for a cost of \$11,700 per product. We have no way of determining the number of products that may need these actions.

## **Authority for This Rulemaking**

Title 49 of the United States Code specifies the FAA’s authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. “Subtitle VII: Aviation Programs,” describes in more detail the scope of the Agency’s authority.

We are issuing this rulemaking under the authority described in “Subtitle VII, Part A, Subpart III, section 44701: General requirements.” Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

### **Regulatory Findings**

We determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

- (1) Is not a “significant regulatory action” under Executive Order 12866,
- (2) Is not a “significant rule” under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979),
- (3) Will not affect intrastate aviation in Alaska, and
- (4) Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### **List of Subjects in 14 CFR Part 39**

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

### **Adoption of the Amendment**

Accordingly, under the authority delegated to me by the Administrator, the FAA amends 14 CFR part 39 as follows:

## **PART 39 - AIRWORTHINESS DIRECTIVES**

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

### **§ 39.13 [Amended]**

2. The FAA amends § 39.13 by removing airworthiness directive (AD) 2015-16-07 (80 FR 49127, August 17, 2015) and adding the following new AD: 2015-16-07 R1 **REIMS AVIATION S.A.:** Amendment 39-18328; Docket No. FAA-2015-3398; Directorate Identifier 2015-CE-031-AD.

#### **(a) Effective Date**

This airworthiness directive (AD) becomes effective [INSERT DATE 35 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

#### **(b) Affected ADs**

This AD replaces AD 2015-16-07, Amendment 39-18232 (80 FR 49127, August 17, 2015) (“AD 2015-16-07”).

#### **(c) Applicability**

This AD applies to Reims Aviation S.A. Model F406 airplanes, serial numbers 0001 through 0098, certificated in any category.

#### **(d) Subject**

Air Transport Association of America (ATA) Code 27: Flight Controls.

#### **(e) Reason**

This AD was prompted by mandatory continuing airworthiness information (MCAI) originated by an aviation authority of another country to identify and correct an unsafe condition on an aviation product. The MCAI describes the unsafe condition as detachment of the pilot’s rudder control pedal in flight. We are issuing this AD to detect and correct cracking of the pilot rudder control pedal which, if not corrected, could result in detachment of the pedal with possible loss of airplane directional control.

**(f) Actions and Compliance**

Unless already done, do the actions in paragraphs (f)(1) through (f)(4) of this AD.

(1) Before further flight after August 18, 2015 (the effective date retained from AD 2015-16-07), do a visual inspection and a dye or fluorescent penetrant inspection of the rudder control pedal torque tubes, LH (Part Number (P/N) 5115260-1) and RH (P/N 5115260-2), following the instructions of PART A of ASI AVIATION Service Bulletin No.: F406-104, dated July 28, 2015.

(2) If no crack is detected during the inspection required by paragraph (f)(1) of this AD, within 100 hours time-in-service (TIS) after August 18, 2015 (the effective date retained from AD 2015-16-07), do a magnetic particle inspection of the rudder control pedal torque tubes, LH (P/N 5115260-1) and RH (P/N 5115260-2), following the instructions of PART B of ASI AVIATION Service Bulletin No.: F406-104, dated July 28, 2015.

(3) If any crack is detected on a rudder control pedal torque tube during the inspection required by paragraph (f)(1) or (f)(2) of this AD, before further flight, replace the affected part with a serviceable part following the instructions of ASI AVIATION Service Bulletin No.: F406-104, dated July 28, 2015.

(4) For the purpose of this AD, a serviceable part is:

(i) A rudder control pedal torque tube (LH P/N 5115260-1 or RH P/N 5115260-2) that has had a magnetic particle inspection following the instructions of PART B of ASI AVIATION Service Bulletin No.: F406-104, dated July 28, 2015, and no cracks were found; or

(ii) A new rudder control pedal torque tube (LH P/N 5115260-1 or RH P/N 5115260-2) that has never been installed on an airplane.

(5) You may install a rudder control pedal torque tube P/N 5115260-1 (LH) or P/N 5115260-2 (RH) on an airplane, provided it is a serviceable part.



**(g) Other FAA AD Provisions**

The following provisions also apply to this AD:

(1) **Alternative Methods of Compliance (AMOCs):** The Manager, Standards Office, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19. Send information to ATTN: Albert J. Mercado, Aerospace Engineer, FAA, Small Airplane Directorate, 901 Locust, Room 301, Kansas City, Missouri 64106; telephone: (816) 329-4119; fax: (816) 329-4090; email: albert.mercado@faa.gov. Before using any approved AMOC on any airplane to which the AMOC applies, notify your appropriate principal inspector (PI) in the FAA Flight Standards District Office (FSDO), or lacking a PI, your local FSDO.

(2) **Airworthy Product:** For any requirement in this AD to obtain corrective actions from a manufacturer or other source, use these actions if they are FAA-approved. Corrective actions are considered FAA-approved if they are approved by the State of Design Authority (or their delegated agent). You are required to assure the product is airworthy before it is returned to service.

(3) **Reporting Requirements:** For any reporting requirement in this AD, a federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2120-0056. Public reporting for this collection of information is estimated to be approximately 5 minutes per response, including the time for reviewing instructions, completing and reviewing the collection of information. All responses to this collection of information are mandatory. Comments concerning the

accuracy of this burden and suggestions for reducing the burden should be directed to the FAA at: 800 Independence Ave. SW, Washington, DC 20591, Attn: Information Collection Clearance Officer, AES-200.

**(h) Related Information**

Refer to MCAI European Aviation Safety Agency (EASA) AD No.: 2015-0159-E, dated July 31, 2015, and EASA AD No.: 2015-0159R1, dated August 24, 2015, for related information. You may examine the MCAI on the Internet at <http://www.regulations.gov> by searching for and locating Docket No. FAA-2015-3398.

**(i) Material Incorporated by Reference**

(1) The Director of the Federal Register approved the incorporation by reference (IBR) of the service information listed in this paragraph under 5 U.S.C. 552(a) and 1 CFR part 51.

(2) You must use this service information as applicable to do the actions required by this AD, unless the AD specifies otherwise.

(3) The following service information was approved for IBR on August 18, 2015 (80 FR 49127).

(i) ASI AVIATION Service Bulletin No.: F406-104, dated July 28, 2015.

(ii) Reserved.

(4) For service information identified in this AD, contact ASI Aviation, Aérodrome de Reims Prunay, 51360 Prunay, FRANCE; telephone: +33 3 26 48 46 65; fax: +33 3 26 49 18 57; email: none; Internet: <http://asi-aviation.fr/asi-aviation-support/1.html> (requires user name and password).

(5) You may view this service information at the FAA, Small Airplane Directorate, 901 Locust, Kansas City, Missouri 64106. For information on the availability of this material at the FAA, call (816) 329-4148. It is also available on the Internet at <http://www.regulations.gov> by searching for locating Docket No. FAA-2015-3398.

(6) You may view this service information that is incorporated by reference at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to:

<http://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Issued in Kansas City, Missouri, on November 6, 2015.

Melvin Johnson,  
Acting Manager, Small Airplane Directorate,  
Aircraft Certification Service  
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